

STAFF REPORT DATED 10/10/96

NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT

STAFF REPORT

TO: Governing Board

FROM: Regulatory Division

DATE: October 10, 1996

SUBJECT: Request for Renewal of
Individual Water Use Permit No. 940017
Individual Water Use Permit Application No. I05366

Applicant: Nelaz Ranch Corporation

Location: Telogia Creek Basin
Gadsden County, Permit Area A
Section 13C; Township 2 North; Range 6 West

Use: Agriculture Irrigation

Water Source: Unnamed Tributaries of Yon Creek (Tributary of Telogia Creek)

Facility:

Existing: NRC #1 -- 6-inch diameter X 30 hp X 450 gpm surface water pump
NRC #2 -- 6-inch diameter X 30 hp X 450 gpm surface water pump

Capacity:

Existing: 900 gallons per minute; 1,296,000 gallons per day

Withdrawal Information:

Water Use Totals	Permitted	Requested	Recommended
Average Day (Gal)	17,800	17,753	17,800
Maximum Day (Gal)	432,000	432,000	432,000
Maximum Month (Gal)	12,960,000	12,960,000	12,960,000

Background:

The applicant's withdrawal is located within the Upper Telogia Creek Drainage Basin of Gadsden County. The Basin has been subject to intensive agricultural use for many decades, beginning in the early part of this century with tobacco. Typical crops grown in the Basin today include tomatoes, peppers, cotton, small vegetables, wheat, and sod.

The Upper Telogia Creek Drainage Basin is characterized by limited surface and ground water resources and high water use demand. In 1990, to address the concentrated withdrawal activity, the District declared the Basin a Water Resource Caution Area (WRCA) and issued approximately 30 consumptive water use permits to existing farmers. These permits have an expiration date of October 1, 1996.

The limited nature of and high demand for the water resources in the Upper Telogia Creek Basin Water Resource Caution Area necessitate that the withdrawal activity be evaluated in a

coordinated manner. To continue the comprehensive management of the resource begun in 1990, the staff again recommends the use of a common expiration date for the permits in the WRCA. Permit durations of approximately five years are recommended compared to previous authorizations of three years. When making the recommendation for each specific permit's duration, however, consideration will be given to the permittee's compliance with previous permit conditions and other relevant factors.

Applicant's Modification and Renewal Request:

Nelaz Ranch Corporation is requesting the renewal of Individual Water Use Permit No. 940017. The applicant has requested that the permitted withdrawal amounts remain the same.

Applicant's Compliance with Existing Conditions:

As part of the evaluation of the applicant's request for a permit renewal, the staff has determined that the applicant has complied with the provisions and conditions of the existing Individual Water Use Permit. During the permit period, the applicant did submit pumping reports, have a Soil Conservation Plan completed, and implement a rainfall/irrigation runoff recovery system.

Staff Comments:

Nelaz Ranch Corporation operates a cattle ranch which withdraws water for pasture irrigation from impoundments of two unnamed tributaries of Yon Creek within the Upper Telogia Creek Water Resource Caution Area of Gadsden County. The ranch is located in the extreme southwestern portion of the drainage basin. The applicant has requested that Individual Water Use Permit No. 940017 be renewed for the presently permitted average daily withdrawal amount of 17,800 gallons, maximum daily withdrawal amount of 432,000 gallons, and maximum monthly withdrawal amount of 12,960,000 gallons.

Nelaz indicates that the crops and acreage identified in the 1993 application (250 acres of improved pasture and 150 acres of winter rye) are still in use and will continue to be used throughout the next permit duration. The requested amounts however have been calculated by the applicant using short duration pump run times and represent an irrigation allocation much less than that recommended by the Agriculture Field Scale Irrigation Requirements Simulation Model (AFSIRS). Only 11 acres can be irrigated with the requested amounts which, according to Nelaz, is the minimum acreage necessary to provide adequate forage for the cattle during periods of limited rainfall. As there are no changes in crop type, irrigated acreage, or withdrawal amounts requested in the application, staff recommends permit renewal at the requested withdrawal levels.

Surface Water Impacts and Water Conservation:

The applicant has not requested an increase in the permitted amounts and has implemented the conservation efforts referenced earlier, as such, no additional impact to the surface water resources or the one down stream user is anticipated. However, the applicant is located in an area where overpumping can impact the relatively limited surface water resources. To ensure the water is used in a reasonable and beneficial manner, the permit will be conditioned to require the continued implementation of water conservation measures. The applicant is encouraged to manage the farm's pumping activity to best minimize impacts to the stream flow.

It is the determination of the staff that the water use amounts requested, as conditioned, are reasonable-beneficial, consistent with the public's interest, and will not cause deleterious impact on the water resources of the area or to known and adjacent legal users. This determination has been made according to the provisions of Chapter 373, Florida Statutes and Chapter 40A-2, Florida Administrative Code.

Staff Recommendations:

The staff recommends that the applicant be granted an Individual Water Use Permit for an annual average daily withdrawal of 17,800 gallons, a maximum daily withdrawal of 432,000 gallons, and a maximum monthly withdrawal of 12,960,000 gallons. The staff also recommends the permit's expiration date be February 1, 2002 and that the permit be conditioned as per the terms and Standard Conditions of the permit document (NFWFMD Form No. A2-E), and the following Specific Conditions:

1. The Permittee shall not exceed a total withdrawal rate of 450 gallons per minute from the impoundments of the unnamed tributaries of Yon Creek.
2. The Permittee shall maintain, in working order, an in-line totaling flow meter on the surface water pump(s). The flow meter(s) shall be located at the actual surface water withdrawal site(s).
3. The Permittee shall record, for each withdrawal site, the data required on Periodic Water Use Reporting Form, NFWFMD A2-H, and shall submit copies of the reports to the District, by March 31, July 31 and November 30, of each year. The next submittal is due November 30, 1996.
4. The Permittee shall irrigate only during the period of November 1 through March 31 and during the month of July of each year.
5. The Permittee shall limit their irrigation activity to non-daylight hours.
6. The Permittee shall cease pumping immediately if, at any time, District staff determine that the Permittee's withdrawal activity is significantly contributing to a lack of flow in Yon Creek at Juniper Produce's withdrawal site (downstream user). The Permittee shall cease pumping until such time as the District gives authorization to resume.
7. The Permittee shall closely monitor the farm's water use and implement any necessary water conservation measures to prevent overpumping during high demand periods.
8. The Permittee shall utilize the most efficient irrigation application for the crop types identified in the application and irrigate in such a manner that no wasteful runoff occurs from the property as a result of the irrigation activity.
9. The Permittee shall annually evaluate the efficiency of each of its irrigation units and undertake necessary maintenance, repairs and upgrades to provide for the maximum efficiency of its equipment. The Permittee shall maintain the irrigation system (i.e., repair any leaks) to prevent wasteful runoff from the property associated with irrigation.
10. The Permittee shall obtain all necessary permits prior to the construction, alteration, and/or enhancement of any surface water management system. Permits are required for, but not limited to, creek sand-bagging, sump excavation, altering pond storage capacity, and any maintenance beyond that considered routine custodial by the District.
11. The Permittee shall identify and address, in detail, all anticipated impacts to surface or ground water resources and nearby permitted and domestic users associated with any future request for increases in surface water withdrawals or for withdrawals from the Floridan Aquifer System. The Permittee shall also identify the actions that have been taken or will be taken to minimize and fully mitigate the anticipated impacts.

DISTRICT TRACKING CODES: TP

PERMIT MAILOUT ENCLOSURE: PERIODIC WATER USE REPORTING FORM